

CITY OF HIALEAH
PLANNING AND ZONING BOARD MEETING
February 22, 2017
Summary Agenda- Minutes

HIALEAH CITY HALL
501 PALM AVENUE-3RD FLOOR

7:00 P.M.
HIALEAH

Call to order.

Invocation and pledge of allegiance

ALL LOBBYISTS MUST REGISTER WITH THE PLANNING AND ZONING BOARD PRIOR TO ITEM BEING HEARD

A MAXIMUM OF 4 SPEAKERS IN FAVOR AND 4 SPEAKERS IN OPPOSITION WILL BE ALLOWED TO ADDRESS THE PLANNING AND ZONING BOARD ON ANY ITEM. EACH SPEAKER'S COMMENTS WILL BE LIMITED TO 3 MINUTES.

1. Roll Call.

Present: Mr. D. Perez, Mr. Casanova, Mr. Cabrera, Mr. O. Perez, Mr. Sanchez, Mr. Suarez, Mr. Tundidor

2. Approval of Planning and Zoning Board Summary Agenda of February 8, 2017 as submitted.

Motion to Approve: Mr. Suarez; Second: Mr. Tundidor; Approved: 7-0

Item Approved

ADMINISTRATION OF OATH TO ALL APPLICANTS AND ANYONE WHO WILL BE SPEAKING BEFORE THE BOARD ON ANY ITEM.

A WRITTEN DECISION AND RESOLUTION WILL BE PREPARED AND PRESENTED FOR REVIEW TO THE CITY COUNCIL. THE CITY COUNCIL IS AUTHORIZED TO AFFIRM, AFFIRM WITH CONDITIONS, OR OVERRIDE THE DECISIONS BY RESOLUTION. AFTER THE RESOLUTION IS ADOPTED, A MEMBER OF THE PLANNING DIVISION WILL CONTACT THE APPLICANT WHEN A COPY OF THE FINAL DECISION AND RESOLUTION CAN BE PICKED UP. UPON YOUR RECEIPT OF THE FINAL DECISION AND RESOLUTION, CONTACT THE BUILDING DEPARTMENT TO OBTAIN YOUR REQUIRED BUILDING PERMIT. SUMMARY MINUTES, OR A COPY OF THE AUDIO FILE OF THE PROCEEDINGS BEFORE THE PLANNING AND ZONING BOARD, SHALL BE PREPARED AND SUBMITTED TO THE CITY COUNCIL BEFORE ITS HEARING.

THE PLANNING AND ZONING BOARD RECOMMENDATIONS FOR THE FOLLOWING PUBLIC HEARING REQUESTS WILL BE HEARD BY THE CITY COUNCIL, AT ITS SCHEDULED MEETING OF TUESDAY, MARCH 14, 2017

3. **Final Decision** to adjust the distance between proposed terrace and accessory building of 10.7' (20' required). Property located at 272 West 17 Street, Hialeah, zoned R-1 (One Family District).

Applicant: Carlos M. Diaz

TABLED ITEM FROM DECEMBER 14, 2016, JANUARY 11 and FEBRUARY 8, 2017

No Action-Item remains tabled

THE PLANNING AND ZONING BOARD RECOMMENDATIONS FOR THE FOLLOWING PUBLIC HEARING REQUESTS WILL BE HEARD BY THE CITY COUNCIL, AT ITS SCHEDULED MEETING OF TUESDAY, FEBRUARY 28, 2017

- 4. Rezoning** of lot 13, lot 20 and parts of lots 19 and 20 (Parcel 1) from GU to MH and consider granting a variance for property including Parcel 1 and Parcel 2 to allow block sizes larger than the required 660 feet by 330 feet; building height of 50 feet (40 feet maximum allowed); parking areas to be located within 10 feet of front property line (20 feet setback required); waive requirement for direct pedestrian access in certain areas; allow 1 parking space for each 1,000 square feet of gross floor area (1 parking space for each 750 square feet required); allow 10% landscaped area (15% minimum required and allow landscape mitigation for the difference between the 1,049 trees and 10,490 shrubs required and the actual number of trees and shrubs to be planted as provided in § 98-2233. Property located at 9100 West 40th Avenue, Hialeah, zoned GU (Interim District-MDC) and MH (Industrial District-Hialeah Heights).

Applicant: Beacon Logistic Park LLC

Motion to Approve: Mr. Tundidor; Second: Mr. O. Perez; Approved: 7-0

Item Approved

- 5. Repeal and Rescind** Ordinance N° 12-70, 11-5-12 Declaration of Restrictive Covenants recorded 10-16-12, PB 28315, Page 0166; and now allow a variance permit to allow a child care facility, having 13 off-street parking spaces (total of 26 parking spaces required); pervious area of 11.3% (30% required); and waive the Hialeah landscape requirements that include 7-foot landscape buffer area between the off-street parking and the right-of-way, and a minimum of 20.6% landscaped area requirement. Property located at 122 West 23 Street, Hialeah, zoned M-1 (Industrial District).

Applicant: Yanelis Padron-THIS ITEM WILL BE WITHDRAWN AND RE-ADVERTISED

Item Withdrawn

- 6. PROPOSED ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA, ESTABLISHING A TEMPORARY MORATORIUM FOR A PERIOD OF ONE HUNDRED AND EIGHTY (180) DAYS FROM THE EFFECTIVE DATE OF THIS ORDINANCE ON THE PROCESSING, APPROVAL, OR ISSUANCE OF BUSINESS TAX RECEIPTS AND DEVELOPMENT PERMITS AS THE TERM IS DEFINED IN FLORIDA STATUTES 163.3164(16), OR ISSUANCE OF ANY OTHER LICENSE OR PERMIT, WITHOUT FURTHER REVIEW AND AMENDMENTS TO ITS CODE, FOR COMMUNITY RESIDENTIAL HOMES OR GROUP HOMES AS DEFINED IN FLORIDA STATUTES 419.001, RESIDENTIAL CARE AND**

TREATMENT FACILITIES §98-1986, LIMITED SUPERVISORY RESIDENTIAL CARE AND TREATMENT FACILITIES § 98-1987, SUPERVISORY RESIDENTIAL CARE AND TREATMENT FACILITIES § 98-1988, HIALEAH CODE OF ORDINANCES, OR ANY OTHER LICENSE OR PERMIT FOR THE ESTABLISHMENT OR OPERATION OF DETOX TREATMENT FACILITIES, CRISIS STABILIZATION UNITS, PRESCRIBED PEDIATRIC EXTENDED CARE CENTERS, RESIDENTIAL DETOXIFICATION AND TREATMENT CENTERS, RESIDENTIAL MEDICAL REHABILITATION CENTERS, ADULT CONGREGATE LIVING FACILITIES, ASSISTED LIVING FACILITIES, ADULT DAY CARE CENTERS, NURSING HOMES, ASSISTED CARE COMMUNITIES, AND ANY OTHER SIMILAR OR DERIVATIVE USES ASSOCIATED WITH SUCH USES WHETHER OR NOT LICENSED BY THE STATE OF FLORIDA THROUGH THE AGENCY FOR HEALTH CARE ADMINISTRATION (ACHA) OR THE DEPARTMENT OF CHILDREN AND FAMILIES (DCF), TO PROVIDE THE CITY WITH AN OPPORTUNITY TO REVIEW AMEND OR ENACT REGULATIONS GOVERNING SUCH USES; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING PENALTIES FOR VIOLATION HEREOF; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

Motion to Approve: Mr. Suarez; Second: Mr. O. Perez; Approved: 7-0

Item Approved

MISCELLANEOUS ITEMS NOT REQUIRING ADVERTISING:

7. TENTATIVE PLAT OF LANE SUBDIVISION

Motion to Approve: Mr. O. Perez; Second Mr. Suarez; Approved: 7-2 (Mr. Tundidor and Mr. Cabrera voting NO)

Item Approved

8. Old Business. None

9. New Business. P&Z Board meeting of March 8, 2017 is cancelled

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT OF 1990, PERSONS NEEDING A SPECIAL ACCOMMODATION TO PARTICIPATE IN THIS PROCEEDING SHOULD CONTACT THE PLANNING DIVISION NO LATER THAN SEVEN DAYS PRIOR TO THE PROCEEDING. TELEPHONE (305) 883-8075 OR (305) 883-8076 FOR ASSISTANCE; IF HEARING IMPAIRED, TELEPHONE THE FLORIDA RELAY SERVICE NUMBERS (800) 955-8771 (TDD) OR (800) 955-8770 (VOICE) FOR ASSISTANCE.